

AMENDED IN ASSEMBLY JULY 18, 2002

AMENDED IN ASSEMBLY JUNE 27, 2002

AMENDED IN ASSEMBLY JUNE 20, 2002

AMENDED IN SENATE APRIL 1, 2002

**SENATE BILL**

**No. 1863**

**Introduced by Senator Bowen**

February 22, 2002

---

---

An act to amend Section 709 of, and to add Section 884 to, the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1863, as amended, Bowen. Telecommunications services.

Existing law declares the Legislature's policies for telecommunications in California.

This bill would include, in the Legislature's policies for telecommunications in California, providing educational institutions, health care institutions, community-based organizations, and governmental institutions with access to advanced telecommunications services in recognition of their economic and societal impact. The bill would state the intent of the Legislature that the Public Utilities Commission should provide a nonprofit community technology program, as defined, with comparable discounts that are provided to schools and libraries to address inequality of access to advanced telecommunications services.

*This bill would incorporate additional changes to Section 709 of the Public Utilities Code made by SB 1563 to be operative if this bill and*

*SB 1563 are enacted and become effective on or before January 1, 2003, and this bill is enacted last.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 709 of the Public Utilities Code is  
2 amended to read:

3 709. The Legislature hereby finds and declares that the  
4 policies for telecommunications in California are as follows:

5 (a) To continue our universal service commitment by assuring  
6 the continued affordability and widespread availability of  
7 high-quality telecommunications services to all Californians.

8 (b) To focus efforts on providing educational institutions,  
9 health care institutions, community-based organizations, and  
10 governmental institutions with access to advanced  
11 telecommunications services in recognition of their economic and  
12 societal impact.

13 (c) To encourage the development and deployment of new  
14 technologies and the equitable provision of services in a way that  
15 efficiently meets consumer need and encourages the ubiquitous  
16 availability of a wide choice of state-of-the-art services.

17 (d) To promote economic growth, job creation, and the  
18 substantial social benefits that will result from the rapid  
19 implementation of advanced information and communications  
20 technologies by adequate long-term investment in the necessary  
21 infrastructure.

22 (e) To promote lower prices, broader consumer choice, and  
23 avoidance of anticompetitive conduct.

24 (f) To remove the barriers to open and competitive markets and  
25 promote fair product and price competition in a way that  
26 encourages greater efficiency, lower prices, and more consumer  
27 choice.

28 SEC. 2. *Section 709 of the Public Utilities Code is amended*  
29 *to read:*

30 709. The Legislature hereby finds and declares that the  
31 policies for telecommunications in California are as follows:

32 (a) To continue our universal service commitment by assuring  
33 the continued affordability and widespread availability of



1 high-quality telecommunications ~~service~~ services to all  
2 Californians.

3 (b) *To focus efforts on providing educational institutions,*  
4 *health care institutions, community-based organizations, and*  
5 *governmental institutions with access to advanced*  
6 *telecommunications services in recognition of their economic and*  
7 *societal impact.*

8 (c) To encourage the development and deployment of new  
9 technologies and the equitable provision of services in a way  
10 ~~which~~ that efficiently meets consumer need and encourages the  
11 ubiquitous availability of a wide choice of state-of-the-art  
12 services.

13 ~~(e)~~

14 (d) *To assist in bridging the ‘digital divide’ by encouraging*  
15 *expanded access to state-of-the-art technologies for rural,*  
16 *inner-city, low-income, and disabled Californians.*

17 (e) To promote economic growth, job creation, and the  
18 substantial social benefits that will result from the rapid  
19 implementation of advanced information and communications  
20 technologies by adequate long-term investment in the necessary  
21 infrastructure.

22 ~~(d)~~

23 (f) To promote lower prices, broader consumer choice, and  
24 avoidance of anticompetitive conduct.

25 ~~(e)~~

26 (g) To remove the barriers to open and competitive markets and  
27 promote fair product and price competition in a way that  
28 encourages greater efficiency, lower prices, and more consumer  
29 choice.

30 (h) *To encourage fair treatment of consumers through*  
31 *provision of sufficient information for making informed choices,*  
32 *establishment of reasonable service quality standards, and*  
33 *establishment of processes for equitable resolution of billing and*  
34 *service problems.*

35 SEC. 3. Section 884 is added to the Public Utilities Code, to  
36 read:

37 884. (a) It is the intent of the Legislature that any program  
38 administered by the commission that addresses the inequality of  
39 access to advanced telecommunications services by providing  
40 those services to schools and libraries at a discounted price should

1 also provide comparable discounts to a nonprofit community  
2 technology program.

3 (b) For the purpose of this section, “nonprofit community  
4 technology program” means a community-based nonprofit  
5 organization that is exempt from taxation under Section 501(c)(3)  
6 of the Internal Revenue Code and engages in diffusing technology  
7 into local communities and training local communities that have  
8 no access to, or have limited access to, the Internet and other  
9 technologies.

10 *SEC. 4. Section 2 of this bill incorporates amendments to*  
11 *Section 709 of the Public Utilities Code proposed by both this bill*  
12 *and SB 1563. It shall only become operative if (1) both bills are*  
13 *enacted and become effective on or before January 1, 2003, (2)*  
14 *each bill amends Section 709 of the Public Utilities Code, and (3)*  
15 *this bill is enacted after SB 1563, in which case Section 1 of this*  
16 *bill shall not become operative.*

